

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jill Wooten,
on behalf of minor S.W.,

Case No. 21-cv-70 (MJD/TNL)

Plaintiff,

v.

ORDER

Mayo Clinic,

Defendant.

This matter is before the Court on the parties' Joint Motion Seeking Leave of Court to File Settlement Documents Under Seal. ECF No. 31. The parties state that they have entered into a confidential settlement of their claims and "seek leave of court under Local Rule 5.6(a)(1) to file the settlement documents under seal." *Id.* at 1. The parties request permission to file the Petition for Approval for Distribution of Minor Settlement and any exhibits appended thereto under seal, and for such documents to "remain confidential." *Id.* at 1; *see also* ECF No. 32 ("Proposed Order"). In the parties' Proposed Order, they also request that any ultimate order approving distribution of the minor settlement be filed as and remain confidential. ECF No. 32.

Local Rule 5.6 provides that "[a] party seeking to file a document under seal in connection with a motion . . . must first file the document under *temporary seal*." D. Minn. LR 5.6(d)(1) (emphasis added). The Rule further provides that "[w]ithin 21 days after the filing of the final memorandum . . . or response . . . in connection with the underlying motion or objection, the parties must file a completed Joint Motion Regarding Continued

Sealing Form,” where the parties can request that documents filed under temporary seal remain sealed permanently. D. Minn. LR 5.6(d)(2), (d)(2)(A)(ii)(a).

The parties’ request for permission to file the Petition for Approval for Distribution of Minor Settlement and any exhibits appended thereto under seal, albeit *temporarily*, is granted. The parties’ request for such documents to “remain confidential,” however, is denied without prejudice. The determination of whether such documents may *remain* sealed will be made following the filing of the joint motion regarding continued sealing in accordance with the procedures set forth under Local Rule 5.6. Additionally, the parties’ request that any ultimate order approving distribution of the minor settlement is denied without prejudice as the determination of whether such an order should be sealed is up to the discretion of the issuing district judge.

Therefore, based upon the record, memoranda, and files herein, **IT IS HEREBY ORDERED** that the parties’ Joint Motion Seeking Leave of Court to File Settlement Documents Under Seal, ECF No. 31, is **GRANTED IN PART and DENIED IN PART** as set forth herein.

Date: May 5, 2023

s/Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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